



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: CPS 7874/1

File Number: DWER 2013/001352-3

Duration of Permit: 13 April 2018 to 13 April 2023

PERMIT HOLDER

Shire of Augusta – Margaret River

LAND ON WHICH CLEARING IS TO BE DONE

Lot 999 on Deposited Plan 231028, Margaret River.

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 0.2695 hectares of native vegetation within the area cross hatched yellow on the attached Plan 7874/1.

CONDITIONS

1. **Avoid, minimise and reduce the impacts and extent of clearing**

In determining the amount of native vegetation to be cleared authorised under this Permit, the Permit Holder must have regard to the following principles, set out in order of preference:

- (a) avoid the clearing of native vegetation;
- (b) minimise the amount of native vegetation to be cleared; and
- (c) reduce the impact of clearing on any environmental value.

2. **Direction of clearing**

The Permit Holder shall conduct clearing in a progressive manner from one direction to the other (e.g. east to west) to allow fauna to move into adjacent native vegetation ahead of the clearing activity.

3. **Dieback and weed control**

When undertaking any clearing or other activity authorised under this Permit, the Permit Holder must take the following steps to minimise the risk of the introduction and spread of *weeds* and *dieback*:

- (a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- (b) ensure that no *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
- (c) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

4. **Western Ringtail Possum Management**

- (a) In relation to the area cross hatched yellow on attached Plan 7874/1, the Permit Holder must engage a *fauna specialist* to inspect that area immediately prior to, and for the duration of, clearing, for the presence of western ringtail possum(s) (*Pseudocheirus occidentalis*).
- (b) Clearing must cease in any area where a western ringtail possum (*Pseudocheirus occidentalis*) is identified until either:
 - (i) the individual has been removed by a *fauna specialist*; or
 - (ii) the individual has moved on from that area to adjoining *suitable habitat*.
- (c) Any western ringtail possum (*Pseudocheirus occidentalis*) individuals removed in accordance with condition 4(b)(i) of this Permit must be relocated by a *fauna specialist* to *suitable habitat*.

- (d) Where a western ringtail possum(s) (*Pseudocheirus occidentalis*) is identified under condition 4(a) of this Permit, the Permit Holder must provide the following records to the CEO as soon as practicable:
- (i) the number of individuals identified;
 - (ii) the date each individual was identified;
 - (iii) the location where each individual was identified recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings or decimal degrees;
 - (iv) the number of individuals removed and relocated;
 - (v) the date each individual was removed;
 - (vi) the date each individual was relocated;
 - (vii) the location where each individual was relocated to, recorded using a GPS unit set to GDA94, expressing the geographical coordinates in Eastings and Northings or decimal degrees; and
 - (viii) details pertaining to the circumstances of any death of, or injury sustained by, an individual.

5. Records must be kept

The Permit Holder must maintain the following records for activities done pursuant to this Permit, in relation to the clearing of native vegetation authorised under this Permit:

- (a) the location where the clearing occurred, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings or decimal degrees;
- (b) the date that the area was cleared;
- (c) the size of the area cleared (in hectares);
- (d) actions taken to avoid, minimise and reduce the impacts and extent of clearing in accordance with condition 1 of this Permit;
- (e) details of the direction of clearing in accordance with condition 2 of this Permit;
- (f) actions taken to minimise the risk of the introduction and spread of *weeds* and *dieback* in accordance with condition 3 of this Permit; and
- (g) details required under condition 4(d) of this Permit.

6. Reporting

The Permit Holder must provide to the CEO the records required under condition 5 of this Permit, when requested by the CEO.

DEFINITIONS

The following meanings are given to terms used in this Permit:

CEO: means the Chief Executive Officer of the Department responsible for the administration of the clearing provisions under the *Environmental Protection Act 1986*;

fauna specialist: means a person who holds a tertiary qualification specializing in environmental science or equivalent, and has a minimum of 2 years work experience in fauna identification and surveys of fauna native to the region being inspected or surveyed, and who holds a valid fauna licence issued under the *Wildlife Conservation Act 1950*;

fill means material used to increase the ground level, or fill a hollow;

mulch means the use of organic matter, wood chips or rocks to slow the movement of water across the soil surface and to reduce evaporation;

suitable habitat: means habitat known to support western ringtail possums (*Pseudocheirus occidentalis*) within the known current distribution of the species. This often includes stands of myrtaceous trees (usually Peppermint Tree (*Agonis flexuosa*)) growing near swamps, watercourses or floodplains, and at topographic low points which provide cooler, often more fertile, conditions; and

weed/s mean any plant -

- (a) that is a declared pest under section 22 of the *Biosecurity and Agriculture Management Act 2007*; or
- (b) published in a Department of Biodiversity, Conservation and Attractions Regional Weed Rankings Summary, regardless of ranking; or
- (c) not indigenous to the area concerned; and
- (d) that is a species permitted for planting under a Pastoral Diversification Permit issued by the Department of Regional Development and Lands.



Mathew Gannaway
MANAGER
CLEARING REGULATION

*Officer delegated under Section 20
of the Environmental Protection Act 1986*

14 March 2018

Plan 7874/1

115°35'4"



115°35'4"

Legend

-  Areas approved to clear
-  roads_201501131816
-  lga_201501131742
- cadastre
-  Cadastre
- WANow_Imagery

90



0

90 m



MGA 94
Geocentric Datum of Australia 1994

Matthew Gendron
Date 14/3/2018

Officer with delegated authority under Section 20
of the Environmental Protection Act 1986



GOVERNMENT OF
WESTERN AUSTRALIA



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 7874/1
Permit type: Area Permit

1.2. Applicant details

Applicant's name: Shire of Augusta Margaret River
Application received date: 17 November 2017

1.3. Property details

Property: Lot 999 on Deposited Plan 231028, Margaret River
Local Government Authority: Shire of Augusta-Margaret River
Localities: Margaret River

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
0.2695		Mechanical Removal	Landscaping

1.5. Decision on application

Decision on Permit Application: Grant

Decision Date: 14 March 2018

Reasons for Decision: The clearing permit application has been assessed against the clearing principles, planning instruments and other matters in accordance with section 51O of the *Environmental Protection Act 1986* (EP Act). It has been concluded that the proposed clearing may be at variance to principle (b), and is not likely to be at variance to the remaining principles.

Based on the assessment of the application area, the Delegated Officer determined that the proposed clearing may impact on significant habitat for western ringtail possums (*Pseudocheirus occidentalis*) and may result in direct impacts to quenda (*Isoodon obesulus*) individuals.

To minimise impacts to western ringtail possums (WRP's) and quenda the Delegated Officer has granted the clearing permit subject to conditions requiring:

- A pre-clearance search of the application area to identify any WRP's, with a requirement to cessate clearing should any WRP's be identified, until such time that they have been removed and relocated, or move on independently; and
- one directional clearing to allow quenda and WRP's to move into adjacent habitat.

The proposed clearing may result in the spread of weeds and dieback into adjacent areas of remnant vegetation. A weed and dieback management condition has been placed on the clearing permit to minimise this risk.

In determining to grant a clearing permit subject to conditions, the Delegated Officer found that the proposed clearing is unlikely to lead to an unacceptable risk to the environment.

2. Site Information

Clearing Description The application is to clear 0.2695 hectares of native vegetation within Lot 999 on Deposited Plan 231028, Margaret River, for the purpose of constructing a sporting oval, referred to by the applicant as the lower western oval (see figure 1 below).

Vegetation Description The application area is mapped as Matiske vegetation C1 Complex, which consists of open to tall open forest of *Eucalyptus marginata* subsp. *marginata*, *Corymbia calophylla* and *Banksia grandis* on lateritic uplands in the hyperhumid zone (Matiske and Havel, 1998).

A reconnaissance flora survey encompassing the application area identified the following vegetation types within the application area (Litoria Ecoservices, 2016):

- **AfD** –Degraded low forest of *Agonis flexuosa* with occasional *Corymbia calophylla* over a cleared understorey;
- **WmHhCD** – Completely degraded dense ground layer of *Watsonia meriana* (exotic) and *Hyparrhenia hirta* (exotic) without a shrub or overstorey layer; and
- **AfCcD** –Degraded low forest of *Agonis flexuosa* with occasional *Corymbia calophylla* over a dense shrub layer of *Leptospermum laevigatum* (exotic), *Acacia longifolia* (exotic), *Genista linifolia* (exotic), *Bossiaea linophylla*, over a ground layer dominated by *Watsonia meriana* (exotic) and *Hyparrhenia hirta* (exotic).

Vegetation Condition

The vegetation within the application area ranges from degraded to completely degraded (Keighery, 1994) condition (Litoria Ecoservices, 2016).

Soil type

The application area occurs within the Cowaramup undifferentiated upland phase landform subsystem, which is described as flats and gentles slopes (0-5 per cent gradient) with gravelly duplex (Forest Grove) and pale grey mottled (Mungite) soils.

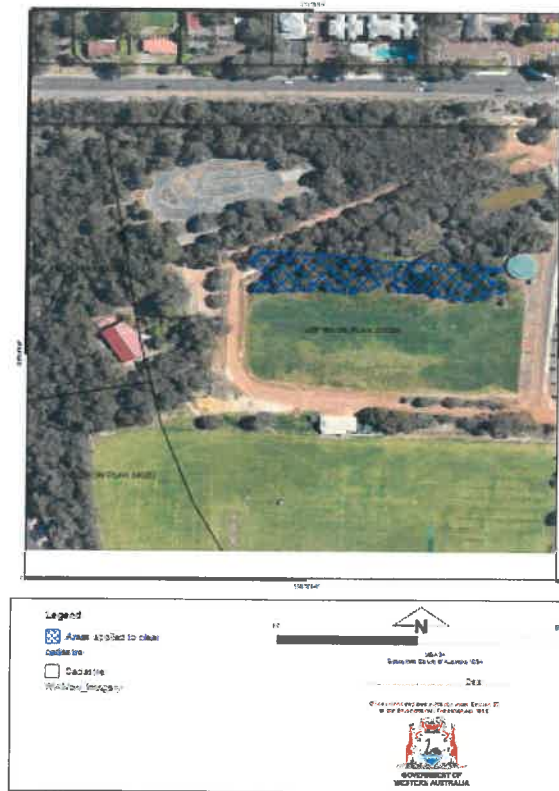


Fig 1: Application Area

3. Minimisation and mitigation measures

The applicant advised that the initial proposal for the lower western oval was designed to run north-south, which would have improved the quality and size of the ovals playing space. However, it was determined that the north-south orientation would have resulted in a significantly greater loss of native vegetation, and specifically, western ringtail possum habitat. The applicant subsequently decided to change the orientation of the proposed clearing area to east-west, to minimise environmental impacts.

4. Assessment of application against clearing principles

The application is to clear 0.2695 hectares of native vegetation within Lot 999 on Deposited Plan 231028, Margaret River, for the purpose of constructing a sporting oval (figure 1).

The applicant commissioned a flora and fauna assessment (the Assessment) of the greater Gloucester Park Precinct which encompasses the application area, to determine the potential impact of the proposed works. The assessment incorporated a reconnaissance flora survey, which was conducted over three days in October and November of 2016. The survey involved walking transects at approximately 10 metres apart, with an aim to map vegetation condition and units across the site, search for rare, threatened or priority species and to generate a preliminary species list. A total of 85 species were observed during the reconnaissance survey, which included 41 native species (Litoria Ecoservices, 2016).

As discussed under Section 2, the flora survey identified three vegetation types within the application area, with the vegetation largely comprising low forest of *Agonis flexuosa* over a highly disturbed understorey (Litoria Ecoservices, 2016).

The survey did not identify any rare or priority flora species, or any vegetation types that are representative of threatened or priority ecological communities (Litoria Ecoservices, 2016). Noting this, and the degraded to completely degraded (Keighery, 1994) condition of the application area (Litoria Ecoservices, 2016), it is unlikely that the proposed clearing will impact on any conservation significant flora or ecological communities.

A reconnaissance fauna survey was also undertaken as part of the Assessment, which included spotlighting over three nights in November of 2016 (Litoria Ecoservices, 2016). With regard to conservation significant fauna species, the fauna survey identified one drey and two juvenile western ringtail possums (WRP's) within the application area (Litoria Ecoservices, 2016). The presence of juvenile individuals within the application area confirms its use as breeding habitat for this species. WRP's are listed under Schedule 1 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2017* as 'fauna that is rare or likely to become extinct as critically endangered fauna'. WRP's are also listed as Vulnerable under the *Environment Protection Biodiversity and Conservation Act 1999* (EPBC Act).

The Department of Biodiversity, Conservation and Attractions provided comment on the proposed clearing and advised that "there is sufficient WRP habitat in the surrounding area and a low enough WRP density to allow for animals impacted by this application to disperse. In order for this to happen a possum spotter needs to be present at the time of clearing to ensure that animals are recognised, trees appropriately fallen and that they disperse into remnant vegetation, and not into cleared areas and/or under parked vehicles" (DBCA, 2018).

To mitigate impacts to WRP's the applicant will be required to engage a fauna specialist to conduct a pre-clearance search of the application area for WRP's, with a requirement to cessate clearing should any WRP's be identified, until such time that they have been removed and relocated, or move on independently.

The fauna survey also identified quenda (*Isoodon obesulus*) (listed as Priority 4 by the Department of Biodiversity, Conservation and Attractions) diggings within the application area (Litoria Ecoservices, 2016). While the application area is not considered to provide significant habitat for quenda, given the presence of surrounding vegetation with higher quality habitat for this species, there is the potential for fauna deaths to occur as a result of clearing. Therefore, the applicant will be required to undertake one directional clearing to allow quenda and WRP's to move into adjacent remnant vegetation.

No other conservation significant fauna species were recorded within the application area (Litoria Ecoservices, 2016), and noting the absence of large hollow bearing trees, and the small size and highly disturbed condition of the application area, the proposed clearing is not likely to impact on significant habitat for any other conservation significant fauna species.

The national objectives and targets for biodiversity conservation in Australia has a target to prevent clearance of ecological communities with an extent below 30 percent of that present pre-1750, below which species loss appears to accelerate exponentially at an ecosystem level (Commonwealth of Australia, 2001). The local area (10 kilometre radius surrounding the application area) contains approximately 47.7 per cent native vegetation cover, the Shire of Augusta Margaret River (the Shire) retains approximately 62.2 per cent of its pre-European vegetation extent and the vegetation complex mapped within the application area retains approximately 34 per cent of its pre-European extent. Noting that the Shire, the local area and the mapped vegetation complex all retain more than 30 per cent of their vegetation extents respectively, the application area is not considered to be within an area that has been extensively cleared.

The closest mapped watercourse or wetland to the application area is a minor non perennial watercourse located approximately 300 metres north of the application area. Noting the distance to this watercourse, and lack of riparian vegetation recorded within the Assessment (Litoria Ecoservices, 2018), it is unlikely that the proposed clearing will impact on any riparian vegetation.

Noting the small size and degraded to completely degraded (Keighery, 1994) condition of the application area and absence of wetlands or watercourses on site (Litoria Ecoservices, 2016), the proposed clearing is not likely to contribute to or cause land degradation, deteriorate the quality of ground water or surface water and is not likely to cause or exacerbate flooding.

Given the above, the proposed clearing may be at variance to principle (b), and is not likely to be at variance with the remaining clearing principles.

Planning instruments and other relevant matters.

The applicant advised that there is a shortage of playing field capacity in the Augusta-Margaret River Shire with a specific need to provide a full size senior soccer field and rugby field. The applicant advised that a feasibility study identified a preference for a north-south alignment of the oval, however due to the applicants desire to minimise clearing requirements, it was proposed to redevelop an existing informal grass area into an east west orientated grassed playing area plus associated parking and landscaping (Shire of Augusta – Margaret River, 2017).

The clearing permit application was advertised on the Department of Water and Environmental Regulation's website on 11 October 2017 with a 21 day submission period. No public submissions have been received in relation to this application.

No Aboriginal sites of significance have been mapped within the application area.

The applicant referred the proposed clearing to the Department of the Environment and Energy (DotEE) for assessment under the EPBC Act. On 7 November 2017 DotEE determined that the proposed clearing is not a controlled action and requires no further assessment under the EPBC Act (Shire of Augusta – Margaret River, 2017).

5. References

- Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.
- Department of Biodiversity, Conservation and Attractions (DBCA) (2018) Regional advice received on 13 February 2018 for Clearing Permit Application CPS 7874/1 (DWER Ref A1615697).
- Government of Western Australia. (2018) South West Vegetation Complex Statistics. Current as of October 2017. WA Department of Biodiversity, Conservation and Attractions, Perth.
- Government of Western Australia. (2018) Statewide Vegetation Statistics incorporating the CAR Reserve Analysis. (Full Report). Current as of December 2017. WA Department of Biodiversity, Conservation and Attractions, Perth.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Litoria Ecoservices (2016) Flora and Fauna Assessment. Gloucester Park, Margaret River. Additional Information to Support Clearing Permit Application CPS 7874/1. DWER Ref A15710435.
- Mattiske, E.M. and Havel, J.J. (1998) Vegetation Complexes of the South-west Forest Region of Western Australia. Maps and report prepared as part of the Regional Forest Agreement, Western Australia for the Department of Conservation and Land Management and Environment Australia.
- Shire of Augusta – Margaret River (2017) Additional information provided for Clearing Permit Application CPS 7874/1. DWER Ref A1571043.